



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

Paper No. 19

Mr. Shirwan Al Pasha Al Bahdaini
28 Av
Pictet de Recommend
CH-1207
Geneva
SWITZERLAND

COPY MAILED

SEP 27 2002

OFFICE OF PETITIONS

In re Application of
SHIRWAN AL PASHA AL BAHDAINI,
Application No. 09/582,634
Filed: September 13, 2000
Title: SHIRWO SYSTEM (A NEW
INTERNAL COMBUSTION POWER SYSTEM)

DECISION ON PETITION

This is a decision on the "Petition for Revival of an Application Abandoned Unavoidably under 37 CFR 1.137(a) filed by a Pro se Applicant(s)," on September 20, 2002.

The petition under § 1.137(a) is GRANTED.

The above-identified application became abandoned for failure to timely file a proper response to the non-final Office action mailed June 29, 2001. This Office action set a shortened statutory period for reply of three (3) months from the mailing date of the Office action. No extensions of time to reply under the provisions of 37 CFR 1.136(a) were obtained. No extension of time having been obtained and no reply timely received, the above-identified application became abandoned on September 30, 2001. A Notice of Abandonment was mailed on May 14, 2002.

On June 19, 2002, petitioner promptly filed a petition under § 1.137(a). However, this petition was dismissed (Decision mailed August 28, 2002). On September 20, 2002, petitioner filed the instant request for reconsideration, along with payment of the petition fee. The petition has been considered and it has been found that petitioner has met the requirements for a grantable petition under § 1.137(a). The required reply, an amendment, was previously filed on April 23, 2002. Considering the facts and circumstances of the delay at issue, as set forth on petition, it is concluded that petitioner has met his burden of establishing that the delay was "unavoidable." Accordingly, the petition is granted.

The application file is being returned to Technology Center 3748 for consideration of the amendment filed April 23, 2002.

Telephone inquiries regarding this decision should be directed to Petitions Attorney Nancy Johnson at (703) 305-0309.

Beverly M. Flanagan
Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy